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UNCLAS SECTION 01 OF 04 KATHMANDU 000229

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STATE FOR SA/INS AND DS/IP/NEA  
STATE ALSO PLEASE PASS USAID/DCHA/OFDA  
STATE ALSO PLEASE PASS PEACE CORPS HQ  
USAID FOR ANE/AA GORDON WEST AND JIM BEVER  
MANILA FOR USAID/DCHA/OFDA  
LONDON FOR POL/GURNEY  
TREASURY FOR GENERAL COUNSEL/DAUFHAUSER AND DAS JZARATE  
TREASURY ALSO FOR OFAC/RNEWCOMB AND TASK FORCE ON TERRORIST  
FINANCING  
JUSTICE FOR OFFICE OF THE DEPUTY ATTORNEY GENERAL/DLAUFMAN  
NSC FOR MILLARD  
SECDEF FOR OSD/ISA LILIENFELD

E.O. 12958: N/A

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SUBJECT: UPDATE ON NEPAL'S MAOIST INSURGENCY, JANUARY 31-FEBRUARY 6, 2004

SUMMARY

11. Twenty-four insurgents and two policemen reportedly were killed and thirty security personnel injured in clashes this week. The Chief of the Army Staff visited troops in the "Maoist Heartland." RNA officials said the rebels have suffered a "heavy setback." More than 200 Maoists have surrendered since the announcement of the Government of Nepal's (GON) amnesty program. The governments of Nepal and India emerged from a two-day meeting publicly proclaiming their commitment to fight terrorism and cross-border crime, but failed to cement an agreement on an extradition treaty. On February 2, the Maoist website announced plans to hold a mass meeting in New Delhi on February 15. Representatives from Amnesty International (AI) told reporters that the Government of Nepal should "take immediate steps to invite the UN" to visit as soon as possible to prevent a human rights catastrophe. Maoists reportedly have plans to declare a "Maoist Central Government" under the leadership of Maoist ideologue Baburam Bhattarai. Maoists reportedly murdered four civilians. The Nepal Tourism Board said tourist arrivals increased. End Summary.

SENIOR MAOIST INJURED IN CLASH?

12. On February 1, a vernacular newspaper reported that Maoist spokesman Krishna Bahadur Mahara was possibly injured in air raids carried out by security forces on January 19. Mahara reportedly received bullet wounds to his knee. Twenty-four insurgents reportedly were killed in separate clashes: on February 5, two in Dhading District and one in Kaski; on February 4, eight insurgents were killed, three in the eastern districts of Dolakha and Rautahat, two in the central district of Kaski, and three in the western district of Kailali; on February 3 three insurgents were killed in the central districts of Gorkha and Dhanusha and another in Nawalparasi; on February 2 three rebels were killed in the western districts of Bajura and Bardia, and another in the eastern district of Sindhuli; and four others died in the western district of Rukum on February 1.

13. On February 3, Maoists gunned down two officers in the far-western district of Banke. Thirty Armed Police Force (APF) personnel and two civilians, including an eight-year-old child, were injured after Maoists ambushed their convoy traveling in the western district of Kailali.

RNA CHIEF VISITS MAOIST HOT SPOTS

14. On February 2, Chief of the Army Staff General Pyar Jung Thapa visited troops in the "Maoist Heartland" in the mid-western districts of Nepal. Thapa traveled to the districts of Salyan, Jajarkot, Rukum, Surkhet, and Rolpa, once considered the headquarters of the Maoists. Security personnel have been conducting search operations in the heartland for several weeks. On February 5, RNA officials showed a videotape of soldiers entering the Maoist strongholds as part of an offensive in the western highlands. RNA spokesman Colonel Deepak Gurung said the rebels have suffered a "heavy setback."

MAOIST SURRENDERS TOP TWO HUNDRED

15. On February 4, Home Ministry Spokesman Gopendra Bahadur Pandey said that 212 Maoists had surrendered since the announcement of the Government of Nepal's (GON) amnesty program. Pandey also told reporters that forty-six of the surrendered Maoists had begun training at a rehabilitation

center in the central district of Tanahun. Minister for Information and Communication Kamal Thapa praised the rehabilitation efforts and said the Government of Nepal (GON) wants to resolve the Maoist problem by changing their way of thinking, not through killing.

INDIA-NEPAL TERRORISM PLEDGE

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16. On February 3, Home Ministry Spokesman Gopendra Bahadur Pandey said the governments of Nepal and India were committed to fighting terrorism, but had failed to cement an agreement on extraditing Maoists listed on Interpol notices, or on India's request that Nepal agree to extradite third country nationals to India. The two-day talks between the Home Secretaries of India and Nepal yielded public agreements to curb and control cross border terrorism, illegal trade and criminal activities. In addition, the two sides agreed to set up integrated check posts along the border, form a border district committee, and for Indian intelligence personnel to provide training to Nepalese police personnel.

17. Home Ministry Joint Secretary Umesh Mainali said that persistent differences regarding an extradition treaty had stalled its signature, while Indian Home Secretary K. Gopalaswamy said the treaty "could be a reality" depending on the pace of future proceedings. Despite a general consensus to cooperate, Indian officials remained vague in their response to extraditing senior Maoists. Indian Home Secretary K. Gopalaswamy said "we must have timely and

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specific information on their whereabouts," but later explained that some might not have been extradited because they were not found to have been "involved in objectionable activities in India." Officials with India's Special Services Bureau refuted allegations that India has not been cooperative, pointing out that 57 out of 97 Maoists detained in India had been extradited.

18. On February 5, Indian Ambassador Shyam Saran weighed in on the issue too, opining that there were "misunderstandings" regarding Maoist issues. Saran again denied allegations that India was not cooperative, declaring that "when we arrest Maoist leaders in India, there is outcry in Nepal" for apprehending them during a period of peace negotiations. (Note: Saran was referring to the arrest of Maoist leader C.P. Gajurel, who was arrested in Chennai while trying to board a plane to London using a fake British passport. He remains in custody in India. End note).

19. On February 2, the Maoist website announced plans to hold a mass meeting in New Delhi on February 15. The meeting is one of many activities planned to commemorate the start of the so-called "Peoples' War" eight years ago. The Nepali press has not reported an official response by the Government of India.

AI: NEPAL NEEDS UN INTERVENTION

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110. On February 4, representatives from Amnesty International (AI) told reporters that the Government of Nepal should "take immediate steps to invite the UN" to visit as soon as possible for guidance on human rights issues. The two-member team said urgent action was necessary to prevent a human rights catastrophe. AI condemned both the GON and the Maoists for a multitude of human rights abuses, and urged both sides to sign the human rights accord drafted by the National Human Rights Commission (NHRC). Following investigative trips to several districts throughout Nepal (during which the two visitors received the full cooperation of the RNA), AI issued findings alleging "extra-judicial executions" by security forces, and said the security forces follow a "strategy of disappearances" as part of their counter-insurgency offensive. AI has demanded an independent and impartial investigation into the disappearances and killings. On February 5 at a press briefing, Chief of the Royal Nepal Army's Human Rights Cell, Brigadier General B.A. Kumar Sharma, said security forces had not "troubled anyone unnecessarily," and that those mistakenly arrested "are usually released after a simple and short interrogation."

111. AI's report also condemned the Maoists for the abduction and killing of civilians, and the coerced recruitment and indoctrination of students, adding that a separate investigation will be conducted into recent reports of mass abductions from schools. Sixty-two schools in the far western district of Achham have closed indefinitely since Maoists started abducting schoolchildren. Eighteen students were abducted on January 31. The AI report called on the Maoists to stop any use of children in activities associated with the insurgency.

¶12. On February 2, the Heads of Mission of the European Union (EU) issued a statement calling on the GON to take "urgent steps" to improve the "seriously deteriorating human rights situation." The EU urged the GON and the Maoists to declare a ceasefire and resume peace negotiations. In a statement issued on February 4, Maoist leader Prachanda said his "party welcomes concerns shown by the United Nations, the European Union, and international human right organizations on Nepal's current situation." The Maoist leader reportedly also said his party might be willing to resume talks under UN mediation. Royal Nepal Army (RNA) spokesman Colonel Deepak Gurung dismissed Prachanda's statements as propaganda, and said the Maoists were trying to buy time to regroup due to heavy losses.

MAOISTS WANT CENTRAL POWER

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¶13. On February 3, it was reported that the Maoists would declare a "Maoist Central Government" under the leadership of Maoist ideologue Baburam Bhattarai on February 8. Maoists already have declared nine "Autonomous Regional Maoist Governments" throughout Nepal. Rebels reportedly initiated extortion campaigns soon after the declarations, threatening villagers who refuse to comply.

MAOIST VIOLENCE

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¶14. On January 28, Maoists in the western district of Rolpa reportedly ordered two hundred families to leave their homes, claiming the area as their territory. The rebels subsequently set fire to the health post. On February 2, Maoists detonated two bombs on that same day at the house of the mayor in Saptari District.

¶15. On February 2, Maoists reportedly murdered three civilians in the eastern district of Dhanusha, and gunned down another civilian on January 31 in the Maoist stronghold of Dang District.

TOURIST ARRIVALS UP

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¶16. According to the Nepal Tourism Board (NTB), tourist arrivals by air increased by forty percent in January compared to totals in January 2003. Chinese tourists accounted for the majority of arrivals. However, the Immigration Office also noted that visitors from the United States and United Kingdom also showed increases. NTB officials expect the numbers to continue on the upswing, particularly from India due to the upcoming religious holidays in February.

MALINOWSKI